

Message Text

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ORIGIN EB-07

INFO OCT-01 ARA-10 ISO-00 CIAE-00 COME-00 DODE-00

DOTE-00 FMC-01 INR-07 NSAE-00 CG-00 DLOS-09

OES-07 INRE-00 /042 R

DRAFTED BY EB/TCA/MA:JAPURNELL:EW

APPROVED BY EB/TCA:JWBILLER

FMC:TCHRISTENSEN (SUBS)

ARA/CEN:DJOHNSON(PHONE)

ARA/ECP:DTAHER (PHONE)

EB/TCA/MA:RKBANK

-----071755Z 100734 /45

O 071716Z JUN 77

FM SECSTATE WASHDC

TO AMEMBASSY GUATEMALA IMMEDIATE

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E.O. 11652:N/A

TAGS:EWWT, GT

SUBJECT:FMC PROPOSED RULE ESTABLISHING EQUALIZATION FEE

REF: SHULER/PURNELL TELCON, 6/3/77

1. THE FMC FILED ON JUNE 6, 1977, A PROPOSED RULE TO REQUIRE OCEAN CARRIERS IN THE U.S./GUATEMALA TRADE THAT ARE QUOTE FAVORED UNQUOTE BY THE DISCRIMINATORY PROVISIONS OF DECREE 41/71 TO PAY AN EQUALIZATION FEE OF 50 PER CENT OF THE FREIGHT CHARGES THEY RECEIVE FROM CARRIAGE OF FREIGHT IMPORTED INTO GUATEMALA FROM THE U.S. UNDER DECREE 41/71.

2. ARMAGUA, FLOMERCA, FLOMERCA TRAILER SERVICE, LINEAS

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MARITIMAS DE GUATEMALA, AND COORDINATED CARIBBEAN TRANSPORT WOULD BE REQUIRED, IF THE PROPOSED RULE IS MADE FINAL, TO PROVIDE A SURETY BOND OR CERTIFIED CHECK EQUAL TO ONE-SIXTH OF THE TOTAL FREIGHT CHARGES EARNED BY THE QUOTE FAVORED CARRIER UNQUOTE ON CARGO WHICH IT LOADED IN THE U.S. FOR UNLOADING IN QUATEMALA DURING THE PRECEDING TWELVE MONTHS, OR \$75,000, WHICHEVER IS GREATER.

THIS QUOTE EQUALIZATION FEE GUARANTEE UNQUOTE WOULD ENSURE
THAT ALL EQUALIZATION FEES WOULD BE PAID.

3. THE QUOTE FAVORED CARRIERS UNQUOTE NAMED IN PARA 2
WOULD HAVE TO FILE REPORTS ON EACH VOYAGE FROM THE U.S.
TO GUATEMALA WITHIN FOUR DAYS OF A SHIP'S SAILING, AND
TO PAY THE EQUALIZATION FEE. FAILURE TO COMPLY WITH
THIS RULE COULD RESULT IN THE DETENTION OF A VESSEL OF
ANY QUOTE FAVORED CARRIER UNQUOTE WHICH HAS LOADED IN
THE U.S. ANY CARGO ULTIMATELY DESIGNED TO BE IMPORTED
INTO GUATEMALA.

4. COMMENTS ON THE PROPOSED RULE WILL BE RECEIVED BY
THE SECRETARY, FEDERAL MARITIME COMMISSION, 1100 L STREET,
N.W., WASHINGTON, D.C. 20573 ON OR BEFORE JULY 29, 1977.

5. DEPARTMENT POUCHING FULL TEXT OF 13-PAGE PROPOSED RULE.
WE EXPECT PUBLICATION IN FEDERAL REGISTER ON JUNE 8 OR 9.
FMC WILL VOTE ON MAKING RULE FINAL ABOUT ONE WEEK AFTER
DEADLINE FOR RECEIVING COMMENTS. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, MARINE CARGO, PREFERENTIAL TARIFFS
Control Number: n/a
Copy: SINGLE
Sent Date: 07-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: JAPURNELL:EW
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Errors: N/A
Expiration:
Film Number: D770202-1050
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770682/aaaactwq.tel
Line Count: 82
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 0e88bf83-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 24-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2245500
Secure: OPEN
Status: NATIVE
Subject: FMC PROPOSED RULE ESTABLISHING EQUALIZATION FEE
TAGS: EWWT, ETRD, GT, US, FMC
To: GUATEMALA
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/0e88bf83-c288-dd11-92da-001cc4696bcc
Review Markings:
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